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OFFICE OF PETITIONS

In re Application of
Joerg Martin BENTZIEN et al.
Application No. 10/632,888
Filed: August 1, 2003
Attorney Docket No. 9/254

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed December 20, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed May 16, 2005, which set a shortened statutory period for reply of three (3) months. A three (3) month extension of time under the provisions of 37 CFR 1.136(a) was obtained on November 15, 2005. Accordingly, by operation of law, the application became abandoned on November 17, 2005.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, affidavit, a Request for Continued Examination (RCE) under 37 CFR 1.114, and the \$790 filing fee; (2) the petition fee of \$1,500; and (3) an adequate statement of unintentional delay. Accordingly, the reply to the final Office action of May 16, 2005 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to Charles A. Marmor, II at (571) 272-6052, or in his absence, the undersigned at (571) 272-7099.

The application file is being referred to Technology Center AU 1626 for appropriate action on the concurrently filed Request for Continued Examination and amendment.

David Bucci
Petitions Examiner
Office of Petitions